

## **Notice of Passing of Zoning By-Law by The Corporation of the Township of McKellar**

**Take notice** that the Council of The Corporation of the Township of McKellar passed **By-law 2022-52** on October 11, 2022 under section 34 of the *Planning Act, R. S. O. 1990*.

**And take notice** that an appeal to the Ontario Land Tribunal (“OLT”) in respect of the Zoning By-law may be made by filing a written notice of appeal with the Clerk of The Corporation of the Township of McKellar, no later than **4:30 p.m. on October 31, 2022**.

An explanation of the purpose and effect of the Zoning By-law and map showing the location of the lands to which the amendment applies, is set out below.

Council in making its decision on this matter took into consideration all written and oral comments received on the application.

### **A Notice of Appeal Will:**

- (a) set out the reasons for the appeal;
- (b) be accompanied by the fee prescribed under the *Ontario Land Tribunal Act* in the amount of \$1,100.00 payable by certified cheque or money order in Canadian funds to the Minister of Finance, Province of Ontario or the private citizen fee with the request for “Lower Fee Form” available on the OLT website (<http://www.olt.gov.on.ca/>). Certified cheques are not required when the cheque is from a law firm; and
- (c) be addressed to the Clerk/Administrator at the address noted below.

### **Who Can File An Appeal:**

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of McKellar to the Ontario Land Tribunal but the person or public body does not make oral submissions at the public meeting or make written submissions to the Township of McKellar before the proposed Zoning By-law is passed, the person or public body is not entitled to appeal the decision of Township Council.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

If a person or public body does not make oral submissions at the public meeting, or make written submissions to the Township of McKellar before the proposed Zoning By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

### **Obtaining Additional Information:**

Additional information about the application may be obtained by contacting Karlee Britton, Deputy Clerk and Planning Assistant, at (705) 389-2842 ext. 5 or by e-mail at [deputyclerk@mckellar.ca](mailto:deputyclerk@mckellar.ca). Contact can also be made by fax at (705) 389-1244.

Dated this 13<sup>th</sup> day of October, 2022

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### Explanatory Note to By-law 2022-52

By-law 2022-52 affects the lands described as Part Lots 22 and 23, Concession 11, Township of McKellar, municipally known as 154 Centre Road.

By-law 95-12, as amended, of the Township of McKellar, zones the subject lands “Waterfront Residential (WF2) Zone, Floodplain (FP) Zone and Environmental Protection (EP) Zone.”

By-law 2022-52 will have the effect of removing the portion of the lands zoned WF2 from the provisions of By-law 95-12, as amended, and rezoning the WF2 portions of the subject lands to the “Tourist Commercial (C2) Zone” under By-law 95-12, as amended. By-law 2022-52 also contains a number of site-specific provisions to permit only a “tourist (commercial) establishment” comprised of a maximum of 6 “rental cottages”, including support facilities such as a visitor parking spaces, walkways, a detached dwelling for use by the owner and accessory buildings and structures associated with the “tourist (commercial) establishment. In recognition of the possible natural hazards (floodplain lands) on the property and the presence of identified fish habitat in the abutting Middle River, additional building and environmental setback requirements have been imposed through a site plan development agreement.

